

MINUTES OF HAMILTON COUNTY COUNCIL, MARCH 3rd, 2004

GENERALIZED SUMMARY

President Belden called to order the regular meeting of the Hamilton County Council at 7:00:37 p.m. Auditor Mills called role: Jim Wallace, Judy Levine, John Hiatt, Jim Belden, Steve Schwartz, Rick McKinney and Meredith Carter.

Invocation and Pledge of Allegiance were led by Councilor Hiatt.

[7:01:39] Councilor Belden opened the Public Hearing concerning the appropriation of the Go Bond Issue and asked for any public comments. Hearing no comments, Councilor Belden closed the public hearing.

[7:03:22] Councilor Levine moved to approve the minutes of February 4, 2004. Councilor Hiatt seconded the motion. Motion carried (7-0).

COMMITTEE / OFFICER REPORTS

President [7:04:26]

Announced work session has been scheduled prior to the meeting on April 14, 2004 beginning at 4:00 p.m. and Regular meeting at 5:00 p.m.

Vice President None

Finance [7:09:38] Councilor Carter reported:

Committee met February 25, 2004 and started looking at the County's shrinking revenue base which has prompted the committee to think about alternatives and prioritization of projects for the 2005 budget.

Highway [7:11:22] Councilor McKinney reported:

Highway is trying to complete the accounting of 146th Street project within next quarter which may result in the availability of funds for use on the eastbound 146th Street project.

City of Noblesville & State Highway are working on the realignment of Little Chicago and Hazeldell at SR 32 with anticipated start of May or June.

Inter-change of Cyntheanne & I-69 has been added to Federal Project list by Commissioners.

Personnel [7:12:46] Councilor Levine reported no meeting has been held but is scheduled for March 12, 2004.

Miscellaneous [7:12:59] Councilor Levine reported

Councilor Levine reported Hamilton County's GIS Department has received from the Indiana Geographic Information Council an award for Achievement in Geographic Information Systems and congratulated Larry Stout.

Councilor McKinney met with Prosecutor Sonia Leerkamp regarding the relocation of the Prosecutor's office. Councilor McKinney stated a price is still undetermined. Much of the area being considered is raw unfinished space.

Commissioner Report: None

Unfinished/Tabled Business

New Business

[7:14:56] Councilor McKinney moved to approve CF-1 Compliance with Statement of Benefits of PSI Energy, Inc. Councilor Levine seconded motion. Motion carried 7-0.

[7:18:47] Councilor Levine moved to approve Ordinance 03-03-04-A "An Ordinance of Hamilton County, Indiana appropriating the proceeds of the General Obligation Bonds of 2004". Councilor Schwartz seconded motion. Motion carried (7-0).

[7:20:40] Jeff Burt, President of Hamilton County Alliance, 10333 N. Meridian. Introduced Mr. Dave Tudor, CEO, Mr. Dave Claspell, President & Chief Executive Officer and Drew Dunagin, Director of Accounting of ACES Power Marketing, Brandon Robinson, IT Manager and Hamilton County Resident. ACES is considering a project in Hamilton County and will be requesting a tax abatement in Clay Township.

Mr. Dave Claspell stated:

Thanked the council for the opportunity to discuss ACES Power Marketing and for the consideration of the tax abatement.

Tax abatement is an important part of the overall economics of their headquarters relocation project.

ACES Power Marketing is a limited liability company who began in 1999 and provides services to 17 non-owner customers. Company is currently located in Indianapolis with 78 employees but also has regional trading centers in Indianapolis and Cary, North Carolina.

Generation and Transmission Cooperatives (G&Ts) are electric utilities that provide power to customers in rural areas of the United States on a not-for-profit basis.

New headquarters at 99th Street and Michigan Road in Mayflower Office Park. 25,000 square feet one story building with expansion capabilities of 5,000 square feet. Estimated cost of \$3.5 million and projected completion date November/December 2004.

Benefits to County include addition of approximately 90 new jobs in February/March 2005 and anticipate adding 20-45 new jobs by 12/13/08.

Average employee salary of \$85,000, initial personal property investment February/March 2005 of \$2.3 million. Anticipate additional personal property investment of \$1.2 million by 12/31/08.

Councilor Wallace asked how ACES differed from Enron? Mr. Claspell stated ACES buys and sells power as agent on behalf of their owners and do not take title to energy. Councilor Wallace asked if the REMC's (who are ACES owners) are using 100% of the power that is marketed through ACES? Mr. Claspell stated "Yes, that is correct".

Councilor Levine asked how long of an abatement they are requesting? Mr. Claspell deferred to Mr. Jay Walters. Mr. Walters stated a minimum of 7 years. Councilor Levine asked if Hamilton County granted the tax abatement and the City of Carmel annexes the property will the City of Carmel pick up this abatement and will it be against the city taxes? Mr. Walters stated he has talked to the Mayor of Carmel because another property in Carmel's jurisdiction was considered and he anticipates the abatement would transfer to Carmel upon annexation. Councilor Levine suggested this request go to the finance committee. Councilor McKinney stated he didn't feel that was necessary. Councilor McKinney stated he and Councilor Carter met with ACES in mid January and Meredith and I looked favorably at this request. Councilor McKinney stated the reason ACES is looking at the tax abatement is because of the competitive nature and because of a State Grant. Mr. Walters responded that the State of Indiana has some very nice tax credit programs that would benefit ACES to the tune of about \$1 million dollars but for the state to offer the incentives the State requires a local match or local participation with tax abatement. Mr. Walters anticipates an abatement of approximately \$140,000 over seven years that would leverage \$1 million in tax credits from the state.

Councilor Carter recommended fellow councilors tour the plant before next meeting which makes it much easier to understand ACES function.

Councilor Wallace added he would like to suggest to the Commissioners that Hamilton County look at ways to provide additional incentives to ACES and Companies like theirs to move the 77% of the jobs that are not in Hamilton County into Hamilton County.

Mr. Dave Tudor, CEO addressed the council with the following comments:

ACES looked at sites in Carmel and Indianapolis at 71st and 465.
We have employees who live on the northside of town and on the south side of town. Employees have known for sometime the headquarters was going to be moved. ACES originally selected sites in Carmel and Indianapolis and not in Hamilton County, our employees came to us and stated they'd rather be in between those two locations because of a commute issues.

Councilor McKinney asked that ACES have the documents to them two weeks prior to the April meeting.

Mr. Jeff Burt stated in answer to Councilor Levines' question of how long ACES would stay in Hamilton County, if the State comes through with the incentive package they require the company to stay double the length of the abatement. [7:51:17]

[7:51:43] Councilor Hiatt moved to approve Resolution 03-03-04-1 "A resolution concerning the purchase of real estate for the Bridge #257 project. Councilor Levine seconded motion. Motion carried (7-0).

[7:52:13] Councilor Levine moved to approve Resolution 03-03-04-1 "A resolution concerning the purchase of real estate for the 96th & Mollenkoph intersection project". Councilor Hiatt seconded motion. Motion carried (7-0).

Additional, Transfers and Amend Form 144

[7:52:45] Councilor Hiatt moved to approve Auditor additional request of \$4,000 in 101.003.000.3601 Postage/Meter and Commissioners additional request of \$10,000 in 101.011.000.3502 Legal Notices. Councilor Levine seconded motion. Motion carried (7-0).

[7:53:56] Councilor Levine moved to approve ISSD additional request (advance of GO Bond) of \$500,000 in 101.020.000.4067 Digital Orthophotos. Councilor Schwartz seconded motion. Motion carried (7-0).

[7:56:20] Councilor Levine moved to approve Surveyor additional request of \$761 in 101.044.000.3900 Storm Water Master Plan. Councilor McKinney seconded motion. Motion carried (7-0).

[7:59:57] Councilor Levine moved to approve Surveyor additional request of \$542 in 101.044.000.3900 Storm Water Master Plan. Councilor Wallace seconded motion. Motion carried (7-0).

[8:03:31] Councilor McKinney moved to approve Surveyor additional request of \$430 in 101.044.000.3603 Seminars. Councilor Hiatt seconded motion. Motion failed (3-4).
Roll call vote MC-N, RM-Y, SS-N, JB-N, JH-Y, JL-N, JW-Y.

[8:06:57] Councilor Levine moved to approve Surveyor additional request of \$100,000 in Storm Water Phase II Fund line item 384.000.000.3713. Councilor McKinney seconded motion. Motion carried (7-0).

[8:08:40] Councilor Hiatt moved to approve Treasurer additional request of \$5,446 in 101.045.000. 3601 Postage/Meter. Councilor Levine seconded motion. Motion carried (7-0).

[8:09:18] Councilor Carter moved the Council resolve to approve additional request of \$136,325 in Jail Detention fund. Councilor Hiatt seconded motion. Resolution approved (7-0).

[8:10:59] Sheriff Carter requested permission of the Council for him to negotiate the purchase of vehicles from the local dealers. Councilor McKinney moved the council

resolve to commit to allow the Sheriff to negotiate the purchase of vehicles through local vendors. Councilor Wallace seconded motion. Motion carried (7-0).

[8:12:43] Sheriff Carter presented to the Council the annual Jail Inspection Report.

[8:13:35] Councilor Levine moved to approve Clerk’s additional appropriation request of \$11,513 in Clerks Perpetuation Fund 363.000.000.4004 Computer Hardware. Councilor Schwartz seconded motion. Motion carried (7-0).

[8:14:23] Councilor Carter moved to approve Prosecutor’s additional request of \$26,792 in Deferral Program 378.000.000.3713 Contractual Service. Councilor Levine seconded motion. Motion carried (7-0).

AUDITOR’S COMMENTS- None

ATTORNEY’S COMMENTS - None

[8:15:55] Councilor McKinney announced Highway Engineer, Jim Neal has been called to active military duty leaving in early April for at least a year in Afghanistan.

[8:16:27] Councilor Levine announced the Commissioners have been meeting with all the other units of government discussing their transportation needs and hope that there will be a retreat of the Commissioners and Council to discuss the results of these meetings.

[8:17:02] Councilor Belden stated he did attend a meeting with the accountant the County has hired to negotiate with the State concerning the COIT revenue losses. Progress is being made.

[8:17:38] Councilor Levine stated she has forwarded to Commissioner Dillinger the new rules regarding the transportation bill just passed. Each Congressman can have only 8 projects now and have to be sent via electronic communication their request of funding for these projects.

[8:18:05] Councilor Levine got the opportunity to speak with Mayor Peterson regarding Transportation needs in the northeast corridor.

[8:18:30] Councilor Levine moved to adjourn meeting. Councilor Wallace seconded motion. Motion carried (7-0).

Those present:

- Jeff Burt, Hamilton County Alliance
- Cassie Bird, HSE
- Government Student
- Labiba Hossain, HSE Government Student
- Kent Ward, Surveyor
- Vandana Chaudhary, HSE Government Student
- BJ Casali, ISS Manager
- Larry Stout, GIS Manager
- Joel Thurman, County
- Highway
- Sally Wilson, Treasurer
- Tammy Baitz, Clerk
- Can’t Read Name, HSE Government
- Student
- Matt, HSE
- Government Student
- Brandon Robison, ACES Power Marketing
- Jay Walters, Ginovus
- David Claspell, ACES Power Marketing
- Drew Dunagin, ACES Power
- Marketing

Dave Wintz, Observer

Mike Howard, County Attorney
Diana Lamirand, Noblesville
Ledger

President

Auditor